

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Before the Board of Patent Appeals and Interferences

In re Patent Application of

Atty Dkt. 3914-3

IUCHI et al

C# M#

Serial No. 09/758,269

TC/A.U.: 1638

Filed: January 12, 2001

Examiner: C.E. Collins

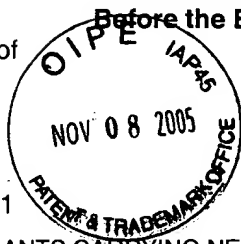
Date: November 8, 2005

Title: TRANSGENIC PLANTS CARRYING NEOXANTHIN CLEAVAGE ENZYME GENE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450



2700
1450

Sir:

☐ Correspondence Address Indication Form Attached.

☒ **NOTICE OF APPEAL**

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the Examiner twice/finally rejecting applicant's claim(s).

\$500.00 (1401)/\$250.00 (2401) \$ 500.00

☐ An appeal **BRIEF** is attached in the pending appeal of the above-identified application

\$500.00 (1402)/\$250.00 (2402) \$

☐ Credit for fees paid in prior appeal without decision on merits

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☐ A reply brief is attached in triplicate under Rule 41.41

(no fee)

☐ Pre-Appeal Brief Request for Review form attached.

☒ Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s)

One Month Extension \$120.00 (1251)/\$60.00 (2251)

Two Month Extensions \$450.00 (1252)/\$225.00 (2252)

Three Month Extensions \$1020.00 (1253)/\$510.00 (2253)

Four Month Extensions \$1590.00 (1254)/\$795.00 (2254) \$ 1020.00

☐ "Small entity" statement attached.

Less three month extension previously paid with Amendment concurrently filed on November 8, 2005 **-\$ (1020.00)**

TOTAL FEE ENCLOSED \$ 500.00

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.

By Atty: Gary R. Tanigawa, Reg. No. 43,180

Signature: _____

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01 FC:1401

500.00 OP

11/09/2005 SZEWDIE1 00000097 09758269

02 FC:1253

1020.00 OP